

O'Tormey, Sean P (FAA)

From: DeLotell, Nicholas (FAA)
Sent: Monday, September 27, 2021 11:03 AM
To: midwestagridrone@gmail.com
Cc: O'Tormey, Sean P (FAA); Attebury, John H (FAA); Reaves, David (FAA)
Subject: Request for Information - Midwest Agri Drone, LLC (Docket FAA-2021-0702) - response required by October 12, 2021

Dustin Lyle
Midwest Agri Drone, LLC
11898 County Road 363
St. Joseph, MO 64505

Dear Mr. Lyle:

The following information is required to continue processing the petition for exemption, Docket No. FAA-2021-0702, which you submitted on behalf of Midwest Agri Drone, LLC. We request you provide the following information to us no later than October 12, 2021:

1. Please provide a comprehensive flight operations and procedures manual. In your petition for exemption you state, "The exemptions requested herein by Midwest Agri Drone are consistent with the prior exemptions granted by the FAA in Summary Grant 20201125004 and the Branch Enterprises Exemption 18579." Please clarify your reference to Summary Grant 20201125004, as we have no record of an Exemption with that number. Also, please note that Exemption No. 18579 was based on Exemption No. 18009. In Exemption No. 18009, Powers Flight Group provided a flight operations and procedures manual as part of their risk mitigation strategy. Your flight operations and procedures manual should include flying procedures, pre-and post-flight procedures, and maintenance information.
2. Please provide a comprehensive training and certification program. Petitioners who have been issued similar grants of exemption (see Exemption No. 18009) have provided a comprehensive training and certification program. Your operator's training program should be a comprehensive training course tailored for the proposed operations that includes theory and practical components, a pilot theory exam, and supervised operational familiarization training on agricultural spraying. Additionally, the training program requirements should include examination, flight test, and continued periodic training.
3. Please provide a comprehensive operational risk and safety manual containing a detailed risk analysis specific to your operation. Petitioners who have been issued similar grants of exemption (see Exemption No. 18009) have provided a comprehensive operational risk and safety manual. Your operational risk and safety manual should identify risks specific to your operation, provide procedures to mitigate those risks, and determine whether the residual risk level is acceptable.
4. Please provide the supporting documents listed in your petition for exemption. In your petition for exemption you state, "In support of this [Petition], Midwest Agri Drone has available upon request for inspection the associated UAS operating documents:
 - Hylio AG-122 Operations Manual
 - Hylio AG-122 Maintenance Manual
 - Hylio AG-122 Spec Sheet
 - Hylio AG-122 Pre-flight checklist
 - Hylio AG-122 Maintenance Checklist
 - Hylio AG-122 Training Process
 - Hylio AG-122 Software Manual"

We do not have a record of receiving these documents.

5. On page 1 of your petition, you request to operate the Hylio AG-122 UAS at a maximum weight of 143.3 pounds. However, on page 5 of your petition, the specifications for the AG-122 state the max takeoff weight is 121 pounds. Please clarify this discrepancy.
6. Please explain your need for relief from 14 CFR §§ 107.35 and 107.36. Large UAS are operated under 14 CFR part 91, not part 107. You petitioned for relief from regulations which do not apply to the operation you proposed.
7. Please clarify whether you are requesting to operate multiple UAS simultaneously. Your petition for exemption states, "Midwest Agri Drone seeks to allow the PIC to operate up to five (5) UAS simultaneously." However, you also state, "The exemptions requested herein by Midwest Agri Drone are consistent with the prior exemptions granted by the FAA in Summary Grant 20201125004 and the Branch Enterprises Exemption 18579." These statements are in conflict. Exemption No. 18579 and Exemption No. 18009 state, "The PIC may manipulate flight controls in the operation of no more than one unmanned aircraft at the same time."
 - a. If you are seeking to operate multiple UAS simultaneously, we request that you provide a risk analysis and mitigation plan that specifically identifies the increased hazard caused by one pilot in command operating multiple UAS simultaneously. An acceptable risk analysis and mitigation plan should:
 - i. Analyze and identify the increased hazard caused by operating multiple UAS simultaneously;
 - ii. Provide controls which mitigate the likelihood and severity of the increased hazard; and
 - iii. Determine whether the residual risk is acceptable.

Your training, operations, and safety manuals must also address multiple UAS operating procedures.

8. Please explain your need for relief from 49 U.S.C. § 44711(a)(2). Your petition for exemption states, "Midwest Agri Drone seeks an exemption from the statutory obligation for an airman certificate as codified at 49 U.S.C. § 44711(a)(2)." However, you also state, "The PIC will hold a Part 107 remote pilot airman certificate and be at least 18 years of age." These statements are in conflict. The FAA previously determined pilots who conduct operations with a remote pilot in command certificate would comply with § 44711(a)(2), as described in the Operation and Certification of Small Unmanned Aircraft Systems final rule (81 FR 42064, 42088-89 – June 28, 2016).

Please submit the additional information (non-proprietary) as a comment to your docket at www.regulations.gov, and save the tracking number generated after submission. Proprietary information may be submitted electronically to Nick DeLotell at nicholas.delotell@faa.gov and Sean O'Tormey at sean.p.o'tormey@faa.gov.

If you want us to process your request any further, we must receive the information described above by October 12, 2021. If we do not receive the information, we will close the docket without notifying you further. If you have any questions or require additional time, you may email us or call (202) 710-1163.

Respectfully,



Nick DeLotell

General Aviation & Commercial Division | Ops Group

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